

United States District Court
Northern District of West Virginia
(Wheeling)

FILED

SEP 15 2014

David Lee Kidd, II, : Civil Case No.: U.S. DISTRICT COURT-WVND
Movant, : : WHEELING, WV 26003
V : :
United States of America, : Criminal Case No.:
Respondent, : 5:11-cr-00017 :
: :
:

Motion for Briefing Schedule
&
Extension of Time

NOW COMES, before this Honorable Court David Lee Kidd, II, here after "Kidd", pro se, with a motion in which he requests not only a briefing schedule for his previously filed Title 28 U.S.C. § 2255 but also an extention of time in which to file a Reply Brief to the Governments Response Brief. For the reasons contained within, Kidd humbly requests that this Honorable Court use any and all discretion within its power, in the interest of justice, to extend or toll the time period in which Kidd may file his Reply Brief.

Kidd avers the following:

- 1) That he is presently incarcerated at the Federal Correctional Institution Fort Dix.
- 2) That he is proceeding Pro Se, and has limited experience in both the researching and filing of legal briefs.
- 3) That at this time he is unclear as to the the exact amount of time afforded him in which to file a Reply Brief.
- 4) The Kidd has both continually as well as diligently worked to meet every previous deadline.

5) That at present time, F.C.I. Fort Dix, is removing several trees located within it's compound and as such, has caused unexpected closing of the Law Library, which in turn limits Kidds access to legal research materials.

Wherefore, the reasons contained within, David Lee Kidd, II, Pro se, humbly requests that this Honorable Court issue a Briefing Schedule in connection to Kidd's previously filed §2255 as well as an Extension of at lease fourty-five (45) days inwhich to file a Reply Brief to the Governments Response.

Further, as the Government has yet to file its Response Brief, to the aforementioned §2255, Kidd humbly requests that his request for an Extension of Time be held in abeyance until the appropriate time.

Respectfully Submitted,



David Lee Kidd, II Pro se

10 SEPT 14
Date

Attachment B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

David Lee Kidd, II

Your full name

v.

Civil Action No.: _____

United States of America

Enter above the full name of respondent in this action

Certificate of Service

I, David Lee Kidd, II (your name here), appearing *pro se*, hereby certify that I have served the foregoing Motion for Briefing Schedule (title of document being sent) upon the respondent by depositing true copies of the same in the United States mail, postage prepaid, upon the following counsel of record for the respondent on 10 SEP 14 (insert date here):

(List name and address of counsel for respondent)


(sign your name)